

Minutes
Kinston City Council
City Hall · 207 East King Street
Monday, August 6, 2018
5:30 pm

REGULAR MEETING

Mayor Don Hardy called the regular meeting to order at 5:30 pm.

Mayor Pro Tem Felicia Solomon led the prayer followed by the Pledge of Allegiance.

Adoption of the Agenda

Councilmember Tyson made the motion, seconded by Mayor Pro Tem Solomon and upon a unanimous vote [5-0] the agenda was adopted.

CITIZEN COMMENT

There were no citizens who wished to address the Mayor and City Council.

PRESENTATIONS AND RECOGNITIONS

1. North Carolina National Guard.....Sergeant Jasmine Tention

Sergeant Tention was not present due to a family emergency.

2. TruFit.....Mohamod Youseef and Sandra Sam

Mohamod Youssef, owner of P Square Solutions, stated P Square Solutions is a healthclub management and turnaround specialist company. WE have been in business in the community for the last two years, and affiliated with another organization for over ten years. We help floundering business by doing the work that most businesses fail to do by dissecting the P&L's and creating the reports and bringing in a positive energy to help people execute those reports. This presentation is in respect to the [former] Woodmen Center with two options.

Councilmember Tyson stated he appreciates the presentation, yet it is a couple of months too late [after budget has been approved for FY 2019]. He inquired about the costs associated with the proposal. He cannot invest in a project without having any ideas of the results.

Mr. Youssef summarized the cost of \$35,000 for six months to put in the systems, hire the right people, increase the profit and get everything on the upswing. Most of our contracts are for a year. If I had the numbers, I would have been able to do a better job at forecasting based on the market. If the City Council is interested, we will get the financials to quantify and forecast. When we leave, we will have trained staff and the operation will be sustainable.

Councilmember Tyson asked if either option would be presented with a business plan. Mr. Youssef stated the City would receive a business plan in the beginning with a financial forecast with everything written out.

Councilmember Tyson stated we just completed our budget, and there is not \$20,000 or \$30,000 in the Parks and Recreation budget for this proposal. Before he would agree on anything, he would have to know he is going to get it back. Citizens would ask why the money wasn't put towards Emma Webb.

Councilmember Aiken asked about their past affiliations. Mr. Youssef stated they have worked with the owner of the former Gold's Gym and we turned it around from losing \$10,000 a month to now it makes a profit in the course of two years. He has also worked with Peak Fitness in the Triangle area.

Mayor Pro Tem Solomon asked about their work locally. Mrs. Sandra Sam stated they arrived in Kinston in September 2016 and the owner offered for us to purchase the facility and in 45 days we turned it from a negative to a positive, not a large positive, but it was better than losing money. It is hard to turn a business around if you don't have the pulse of the business day in and day out.

Councilmember Swinson asked if they are proposing consolidating their current business with the center. Mr. Youssef stated that would be option 2. We can purchase land and build or we can consolidate. We have absorbed another fitness center (Fit for Life) in Kinston already and relocated the members to our facility. The City would continue to manage the waterpark.

Councilmember Tyson suggested that Mr. Mohammad meet with the City Manager to discuss the proposal and possibly come back to the City Council at a later date.

MINUTES

Consider approval of the minutes of the City Council meeting held Monday, July 16, 2018
.....**Monique Hicks**

Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote [5-0] the minutes were approved.

ACTION AGENDA

- 1. Consider scheduling a public hearing for Tuesday, September 4, 2018 to apply to the CDBG Infrastructure Program for funding of the Lawrence Heights Sewer Replacement ProjectSteve Miller**

Steve Miller, Assistant Public Services Director, stated we are going back to CDBG to try to obtain the \$2 million of funds that are available to individual entities. We are requesting that City Council schedule a public hearing as required to apply for the funds for September 4, 2018.

We will apply for the \$2 million grant for sewer work in the Lawrence Heights subdivision. The total project is estimated at \$3.3 million. We have received funding from the State Revolving loan with \$500,000 in forgiveness. If we obtain the grant it will significantly reduce the City’s costs and make other funds available for other projects in the future.

Councilmember Aiken asked if this will require going door to door getting occupants to sign up. Mr. Miller stated they are putting forth effort to get properties that did not respond last fall. Unfortunately, if a property did not respond, it counts as being above the income limits, so the more responses we receive the better chance we have to obtain the funding.

Councilmember Tyson asked how many properties did not respond. Mr. Miller stated we had 58 properties that did not respond.

Councilmember Aiken asked how many were homeowners versus rentals that did not respond. Mr. Miller stated he does not have a record to show that information. Councilmember Aiken asked if the community will be asked to help obtain the surveys. Mr. Miller stated we have already spoken to the church and they are planning an effort and they welcome anyone to come work with them. The surveys will be distributed later this month.

Councilmember Swinson made the motion, seconded by Councilmember Aiken and upon a unanimous vote [5-0] the public hearing date was set.

2. Consider approval of a bid award to Peterbilt of Charlotte in the amount of \$489,129.59 for the purchase of a front end loader and a side loader to replace vehicles in Environmental Services.....Rhonda Barwick

Rhonda Barwick, Public Services Director, stated the Environmental Services budget includes \$534,000 for the purchase of two commercial trucks. The City uses National Joint Power Alliance (NJPA), similar to state contract, for purchasing larger vehicles.

Councilmember Tyson asked if the new trucks will have the artistic wrap. Mrs. Barwick stated they may have smaller wraps and they are working with the Planning Department on designs.

Councilmember Suggs made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the bid award was approved.

- 3. Consider approval of a bid award to Volt Power (formerly T&D Solutions) in the amount of \$1,379,158.45 which includes approximately a 3.5% contingency (\$50,000) for the labor and materials to upgrade the electric circuit feeding Vernon AvenueRhonda Barwick**

Rhonda Barwick, Public Services Director, stated the Electric Fund has a project budget of \$1,548,360 to reconductor the circuits along Vernon Avenue from the POD to Highway 11, and there are several circuits involved. It will increase the size of the wire by 50% and give flexibility for switching. Booth and Associates has recommended the award. We will also replace about two hundred poles.

Councilmember Tyson made the motion, seconded by Councilmember Aiken and upon a unanimous [5-0] vote the bid award was approved.

- 4. Consider approval of a special events permit for Equipping the Saints Worship and Training Center for a Community Cookout and School Supply Give Away On Saturday, August 18, 2018.....Alonzo Jaynes**

Alonzo Jaynes, Police Chief, stated the event will take place from 10-2. Police services are not needed. This event will close Walston Avenue at the corner of Washington.

Councilmember Suggs made the motion, seconded by Councilmember Aiken and upon a unanimous vote [5-0] the special events permit was approved.

- 5. Consider approval of a special events permit for the Kinston Community Health Center for the second annual Running for Our lives 5K Color Run on Saturday, August 18, 2018Alonzo Jaynes**

Alonzo Jaynes, Police Chief, stated the event will take place from 8:00 to 11:30. The runners and walkers will be escorted by police. Atlantic and Lenoir will be closed from Westover to Queen Street.

James Cauley, City Attorney, asked about the indemnification agreement. Chief Jaynes stated he will make sure he gets it tomorrow.

Mr. Cauley stated subject to obtaining the agreement, this will be fine.

Councilmember Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the special events permit was approved.

6. Consider approval of a special events permit for Best Cathedral of Fire for a Back to School Bash on Saturday, August 25, 2018.....Alonzo Jaynes

Alonzo Jaynes, Police Chief, stated the event is from 9 to 4. Independence Street between King and Caswell will be closed, and police services are not needed.

Councilmember Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the special events permit was approved.

7. Consider approval of a special events permit for National Night Out on Tuesday, August 7, 2018.....Alonzo Jaynes

Alonzo Jaynes, Police Chief, stated the event is from 5:30 to 9 at Pearson Park. Mitchell Street will be closed at North Street.

James Cauley, City Attorney, stated the indemnification agreement was not signed and it also needs an insurance certificate.

Councilmember Tyson made the motion to approve subject to the indemnification agreement and insurance certificate being provided, seconded by Councilmember Suggs and upon unanimous vote [5-0] the special events permit was approved.

8. Consider approval of a special events permit for Tanglewood Church for One Day on Sunday, September 23, 2018.....Alonzo Jaynes

Alonzo Jaynes, Police Chief, stated this will take place at Pearson Park from 1230 to 3. This is an outreach event which will include church services, a picnic and a bike stunt team. Police services are not needed and Mitchell Street will be closed between North and Gordon.

Mayor Pro Tem Solomon made the motion, seconded by Councilmember Tyson and upon a unanimous vote the special events permit was approved.

9. Consider adoption of an Ordinance to amend the FY 2019 Operating BudgetDonna Goodson

Donna Goodson, Finance Director, stated this will amend the General, Water Resources, Wastewater, Electric and Public Services funds to fund outstanding purchasing orders as of June 30th. They will be funded through an appropriation from each fund fund balance. The total is \$1,707,994.57.

Councilmember Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the following Ordinance was adopted.

**AN ORDINANCE AMENDING THE ANNUAL
OPERATING BUDGET**

WHEREAS, the City Council adopted the annual operating budget on June 18, 2018 authorizing appropriations for the General Fund, Water Resources Fund, Wastewater Fund, Electric Fund, and Public Services Fund, and

WHEREAS, amendments by the City Council may become necessary during the year as conditions change, and

WHEREAS, the City Council approved appropriations necessary to fund outstanding purchase orders as of June 30, 2018 in the General Fund, Water Resources Fund, Wastewater Fund, Electric Fund, and Public Services Fund. This will be funded with an appropriation of fund balance for each respective fund.

THEREFORE BE IT ORDAINED by the City Council of the City of Kinston, North Carolina that the annual operating budget ordinance be amended as follows:

<u>General Fund</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Increase (Decrease)</u>
Revenues:			
Appropriated Fund Balance	\$ 674,052.00	\$ 1,424,014.50	\$ 749,962.50
Total Other General Fund Revenues	25,321,594.00	25,321,594.00	-
Total Revenues	<u>\$ 25,995,646.00</u>	<u>\$ 26,745,608.50</u>	<u>\$ 749,962.50</u>
Expenditures:			
Street Maintenance			
Street Construction/Reconstruction	\$ 140,000.00	\$ 180,000.00	\$ 40,000.00
Street Resurfacing Repair and Maintenance	180,000.00	680,000.00	500,000.00
Street Prevention Repairs and Maintenance	130,000.00	160,000.00	30,000.00
Service and Maintenance Contracts	119,300.00	137,300.00	18,000.00
Other Street Maintenance Expenses	1,003,380.00	1,003,380.00	-
Planning			
Building Demolition	50,000.00	82,020.00	32,020.00
Other Planning Expenses	257,640.00	257,640.00	-
Inspections and Code Enforcement			
Building Demolition	-	19,660.00	19,660.00
Other Inspections and Code Enforcement Exp.	295,447.00	295,447.00	-
Recreation - Parks			
Capital Outlay-Building Improvements	-	20,282.50	20,282.50
Other Recreation-Parks Expenses	1,372,977.00	1,372,977.00	-
Capital Outlay			
Capital Outlay-Data Processing Equipment	-	90,000.00	90,000.00
Other Recreation-Parks Expenses	662,662.00	662,662.00	-
Total Other General Fund Expenses	21,784,240.00	21,784,240.00	-
Total Expenditures	<u>\$ 25,995,646.00</u>	<u>\$ 26,745,608.50</u>	<u>\$ 749,962.50</u>
<u>Water Resources Fund</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Increase (Decrease)</u>
Revenues:			
Appropriated Fund Balance	\$ -	\$ 148,511.00	\$ 148,511.00
Total Other Water Resources Revenues	10,516,094.00	10,516,094.00	-
Total Revenues	<u>\$ 10,516,094.00</u>	<u>\$ 10,664,605.00</u>	<u>\$ 148,511.00</u>
Expenditures:			
Water Production			
Service and Maintenance Contracts	\$ 152,000.00	\$ 177,820.00	\$ 25,820.00
Capital Outlay-Contract Labor	223,500.00	312,636.25	89,136.25
Other Water Production Expenses	1,131,032.00	1,131,032.00	-
Water Operations			
Small Tools and Supplies	20,700.00	27,585.38	6,885.38
Water System Repair/Maintenance	30,000.00	56,669.37	26,669.37
Other Water Operations Expenses	2,676,925.00	2,676,925.00	-
Total Other Water Resources Fund Expenses	6,281,937.00	6,281,937.00	-
Total Expenditures	<u>\$ 10,516,094.00</u>	<u>\$ 10,664,605.00</u>	<u>\$ 148,511.00</u>

Wastewater Fund	Current Budget	Amended Budget	Increase (Decrease)
Revenues:			
Appropriated Fund Balance	\$ 274,256.00	\$ 791,208.00	\$ 516,952.00
Total Other Wastewater Revenues	6,606,100.00	6,606,100.00	-
Total Revenues	\$ 6,880,356.00	\$ 7,397,308.00	\$ 516,952.00
Expenditures:			
Wastewater Treatment			
Service & Maintenance Contracts	\$ 341,600.00	\$ 564,258.00	\$ 222,658.00
Capital Outlay-Wasterwater Lines	-	294,294.00	294,294.00
Total Other Wastewater Fund Expenses	6,538,756.00	6,538,756.00	-
Total Expenditures	\$ 6,880,356.00	\$ 7,397,308.00	\$ 516,952.00

Electric Fund	Current Budget	Amended Budget	Increase (Decrease)
Revenues:			
Appropriated Fund Balance	\$ -	\$ 217,155.64	\$ 217,155.64
Total Other Electric Revenues	51,183,636.00	51,183,636.00	-
Total Revenues	\$ 51,183,636.00	\$ 51,400,791.64	\$ 217,155.64
Expenditures:			
Electric - Operations			
Distribution Supplies	\$ 600,000.00	\$ 770,441.32	\$ 170,441.32
Generator Maintenance	43,500.00	68,686.32	25,186.32
Service and Maintenance Contracts	277,400.00	298,928.00	21,528.00
Total Other Electric Fund Expenses	50,262,736.00	50,262,736.00	-
Total Expenditures	\$ 51,183,636.00	\$ 51,400,791.64	\$ 217,155.64

Public Services Fund	Current Budget	Amended Budget	Increase (Decrease)
Revenues:			
Appropriated Fund Balance	\$ 6,649.00	\$ 82,062.43	\$ 75,413.43
Total Other Public Services Revenues	2,258,498.00	2,258,498.00	-
Total Revenues	\$ 2,265,147.00	\$ 2,340,560.43	\$ 75,413.43
Expenditures:			
Public Services Billing & Customer Service			
Capital Outlay-Other Equipment	\$ -	\$ 20,613.43	\$ 20,613.43
Capital Outlay-Building Improvments	-	54,800.00	54,800.00
Total Other Public Services Fund Expenses	2,265,147.00	2,265,147.00	-
Total Expenditures	\$ 2,265,147.00	\$ 2,340,560.43	\$ 75,413.43

10. Consider adoption of an Ordinance for the Queen Street Redesign Capital Project (G9142).....Donna Goodson

Donna Goodson, Finance Director, stated we are requesting to establish a capital project budget for the 2019 Queen Street redesign and construction. The total revenues will be \$3,200,000.

Tony Sears, City Manager, stated that he and the Planning Director had a telephone conversation with Stewart Engineering and they will make another presentation in the near future.

Councilmember Tyson stated he has informed a citizen that there will be an opportunity for citizens to have input on the project.

Councilmember Suggs made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the following Ordinance was adopted:

AN ORDINANCE ESTABLISHING THE CAPITAL PROJECT FUND FOR QUEEN STREET REDESIGN & CONSTRUCTIONS (G9142)

WHEREAS, the City of Kinston desires to attract residents, businesses and visitors, and to encourage the economic growth, development and investment in the community and surrounding areas, and

WHEREAS, the City of Kinston desires to make aesthetic improvements to the streetscape of Queen Street located in downtown Kinston prior to the repaving of Queen Street by the North Carolina Department of Transportation in 2019, and

WHEREAS, it is necessary to appropriate funds for the redesign and construction of the Queen Street improvements which will be funded by a transfer from the General Fund.

THEREFORE BE IT ORDAINED by the City Council of the City of Kinston, North Carolina that the following capital project budget ordinance is hereby adopted:

2019 Queen Street Redesign & Construction

	<u>Current Budget</u>
Revenues:	
Transfer from General Fund	\$ 3,200,000.00
Total Revenues	<u>\$ 3,200,000.00</u>
Expenditures:	
Capital Outlay-Queen St. Redesign & Const.	\$ 3,200,000.00
Total Expenditures	<u>\$ 3,200,000.00</u>

11. Consider adoption of a Resolution for the annual settlement of property taxes collected FY 2017-2018.....Donna Goodson

Donna Goodson, Finance Director, stated we have received the annual settlement of property taxes collected from Lenoir County. The Resolution is accepting annual settlement. The report shows a settlement of 97.06% which is an .042 increase from the previous year.

Councilmember Tyson made the motion, seconded by Councilmember Suggs and upon a unanimous vote [5-0] the following Resolution was adopted:

Resolution Accepting the Annual Settlement Of the Lenoir County Tax Collector 2017-2018 Fiscal Year

WHEREAS, North Carolina General Statute 105-373 requires the Tax Collector to make full settlement with the governing body for all taxes, and

WHEREAS, the Tax Collector of Lenoir County has provided the City of Kinston’s City Manager, Mayor and City Council a complete report of all taxes in his hands for collection.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Councilmembers that: The City Councilmembers accept and approve the settlement of taxes as submitted by the Lenoir County Tax Collector. The City Councilmembers’

approval does not release the Tax Collector or his bondsman of any liability or any shortage hereafter discovered, nor does it release him in any way of his duties to use all lawful means at his disposal to collect all delinquent taxes in his hand.

The City Councilmembers acknowledge with appreciation the diligent efforts of the Tax Collector that has resulted in a 97.06% collection for the fiscal year 2017-2018.

12. Consider approval of an amendment of the Animal Control Ordinance to address tetheringTony Sears

Tony Sears, City Manager, stated in February the Animal Control Ordinance was updated but it did not address tethering. Chief Jaynes, Councilmember Tyson and Councilmember Aiken and Corporal Price worked on the Ordinance and consulted with the SPCA and this is what has been determined acceptable.

Corporal Barry Price stated the new ordinance defines proper tethering. It also addresses safety issues for the animals. The tethering equipment we are suggesting can be purchased at Pet Sense and Walmart.

Councilmember Tyson stated unfortunately many do not understand the term tethering. We also agreed to purchase a limited number of the items for residents who cannot afford them. He recommended purchasing 25.

Mr. Sears added that this ordinance will not go into effect until October. This is not meant to be heavy handed

Councilmember Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote the following Ordinance was adopted:

AN ORDINANCE TO AMEND THE ANIMAL CONTROL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF KINSTON

Sec 4 – 61 Definitions

(OLD) **Proper shelter** – A non metallic structure to provide protection of (domestic) animals from the sun, wind, rain, and cold. Structure should consist of three (3) walls, a top and a floor (which is raised off the ground) or a similar non metallic structure which will provide protection from the elements.

(NEW) **Proper shelter** – An enclosure/structure constructed with at least four (4) sides, a roof, and a solid floor that provides adequate protection from the elements: heat, cold, wind, rain, and frozen precipitation. The shelter shall have a water- resistant roof. If the shelter is made of wood, the floor shall be at least two inches above the ground. One (1) of the four sides of the shelter must have an opening large enough to allow the dog to enter and exit easily. The interior space of the shelter shall be large enough to allow the dog to assume normal sitting and sleeping positions and the ability to freely and comfortably stand up and turn around. Dry bedding such as hay, straw, wood shavings, or cloth material shall be provided and

periodically replaced. Additionally, the dog must have access to shade from May through September for protection from the heat if the shelter is not located in a shaded area. Shade may be provided by a tree or tarp. A barrel may be considered adequate shelter if the previous conditions are met in addition to the following requirements: it must not sit directly on the ground; the open side (entrance) must be tilted at least two (2) inches lower than the back to prevent puddling of rain in the interior; and it must be secured to prevent rolling or instability. The following methods of housing/sheltering a dog are considered inadequate, but they may be used by the animal for temporary shade: underneath outside steps, decks, or stoops; underneath vehicles including trailers and campers; and underneath sheds, barns, and houses. Entanglement of a tethered animal's restraint when the animal is using any of these methods of temporary shade shall be prevented. Uninsulated plastic airline or transport kennels/carriers shall not be considered as an adequate method or type of shelter for outside use.

(OLD) Restraint: Any animal shall be considered under restraint if it is within the real property limits of its owner, secured by leash or lead or confined.

(NEW) **TETHERING OR RESTRAINT OF ANIMALS**

RESTRAINT: Any animal shall be considered under restraint if it is within the real property limits of its owner or keeper, or secured by physical means or under the control of a competent person, or adequately contained by a fence or enclosure that can be locked and is of sufficient height to prevent the animal from escaping by climbing or jumping, or confined in a building. In the case of a vicious animal, a fence or enclosure of sufficient size and height will be approved by the Animal Control Officer.

TETHERING: Tying out or fastening an animal outdoors on a rope, chain or other type of line for the purpose of holding such animal.

1. The tether should be at least (3) three times the length of the pet or ten feet, whichever is longer, measured from the pet to the base of the tethering structure.
2. The tether must be strong, appropriate to the weight of the pet, and have a swivel on both ends. Tow chains, logging chains, etc. are not allowed. The tether must be attached to a well fitted flat buckle collar. Prong collars, pinch collars, or looping the tether around the pet's neck are not allowed.
3. The area where a dog is tethered must be clean, free of obstructions and feces, and have access to proper shelter as defined in Sec 4-61. The tethered dog must have access to food and drinkable water.

Councilmember Tyson asked for an update on the feral cats. Corporal Price stated we are in the final stages of setting up a meeting. We hope to have a final solution in the best interest of the cats and the City.

APPOINTMENTS

1. **Consider the reappointments of Sammy Aiken and Bruce Parson to the Neuse Regional Water and Sewer Authority's (NRWASA) Board of Directors for a three year termMonique Hicks**

Councilmember Tyson made the motion, seconded by Mayor Pro Tem Solomon and upon a unanimous roll call vote [5-0] the reappointments were approved.

Councilmember Aiken stated he has been on the board almost 6 years. Membership of the board is based on the number hook ups we have. We have over 11,000 hook ups, so we have four members on the Board. In the near future, we will need to find someone to replace Jimmy Cousins on the board.

2. Consider the appointment of Don Hardy to the North Carolina Global TransPark Board of Directors for a three year term.....Monique Hicks

Mayor Pro Tem Solomon made the motion, seconded by Councilmember Suggs and upon a unanimous roll call vote [5-0] the appointment was approved.

CITY MANAGER’S REPORT

The City Manager had no report.

CITY ATTORNEY’S REPORT

James Cauley, City Attorney, stated pursuant to North Carolina General Statute 143-318.11(a)(3) we are required to give a report on the settlement of the Williams vs. Woodmen and City of Kinston case in an open session.

The near drowning incident given rise to the Williams case occurred in August 2014 and the case was settled in June 2018. The case was the subject of multiple closed session discussions over that period of time. The City, County and Woodmen Foundation had coverage under the City’s insurance policy with the North Carolina League of Municipalities Risk pool in the amount of \$10 million. The coverage also provided for the defense of those parties and for the defense of the lifeguards who were named in the lawsuit. The plaintiff’s demands were over four times that amount. Because the plaintiff’s demands so greatly exceeded the available insurance coverage, the City asked our firm to work on the defense of the case along with the attorneys attained by the City’s insurer. Our purpose was to ensure that any settlement or verdict obtained in the case was ultimately within the available insurance coverage. That effort was successful and has been reported publicly already, the City’s defendants, including all of the guards, have been released from the case. The case has been settled with the City’s contribution being limited to the available insurance coverage. There were three and a half years of defense cost associated with the work, but the City’s payments were otherwise limited to the insurance coverage. An additional matter of success resulting from the settlement negotiations was the Woodmen Foundation released any claim it might have had against the City for indemnity under the Cooperation and Development agreement that had been entered into in 2010 between the Foundation, the City and the County. Contemporaneously, with the case settlement, as I reported at the last City Council meeting, as of July 2, 2018, the City has completed the acquisition and closing of the transfer of the community center to City ownership. This report is given to comply with the North Carolina General Statues.

Councilmember Tyson asked why Woodmen did not have to inform anyone of the settlement. Mr. Cauley stated that Woodmen is not subject to that statutory requirement.

Councilmember Swinson asked when will Woodmen name be removed from the building. Tony Sears, City Manager, stated we removed the name from some of the internal locations and the removal of the outside signs have been scheduled. Galen Treble, Interim Parks and Recreation Director, stated he has spoken to the vendor and they will be on site tomorrow to remove the exterior sign.

MAYOR AND COUNCILMEMBER REPORTS

Councilmember Swinson reminded everyone that there will not be a second meeting in the month of August. He along with other board members will be attending the ElectriCities annual conference in Asheville from the 20th through the 23rd.

Councilmember Aiken stated he still receives complaints from citizens about not being able to hear the meetings that are aired on television.

Councilmember Suggs made a plea for citizens to contact the board either directly or through the City Clerk.

Mayor Hardy thanked everyone in attendance and stated, "Please be the somebody that nobody thought you could be."

ADJOURNMENT

Councilmember Aiken made the motion, seconded by Councilmember Swinson and upon a unanimous vote [5-0] the City Council meeting adjourned at 6:47 pm.

Respectfully submitted,

Monique Hicks, City Clerk